

(6) Congress increased appropriations for elementary and secondary education by 20 percent in fiscal year 2001.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should appropriate all funds authorized for elementary and secondary education in fiscal year 2002.

SA 801. Mr. DOMENICI submitted an amendment intended to be proposed to amendment No. 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

At the end, add the following:

SEC. . SENSE OF THE SENATE ON EDUCATION FUNDING CONSISTENT WITH THE PRESIDENT'S BUDGET AND THE CONGRESSIONALLY PASSED BUDGET RESOLUTION.

(a) FINDINGS.—The Senate finds that—

(1) President George W. Bush has said that bipartisan education reform will be the cornerstone of his administration, and that no child should be left behind;

(2) The Bush Administration has said that too many of the neediest students of our nation are being left behind and that the Federal Government can, and must, help close the achievement gap between disadvantaged students and their peers;

(3) Congress should devote to high-priority education programs, such as Title I, a substantial portion of the \$6.2 billion reserved for domestic discretionary programs in the budget resolution;

(4) The budget resolution assumes substantially increased funding for high priority education programs, including:

(a) \$11.0 billion for Title I, Education for the Disadvantaged, including \$9.1 billion for grants to local educational agencies and \$975 million for new Reading First programs;

(b) \$8.7 billion for programs under the Individuals with Disabilities Education Act, including \$7.6 billion for part B grants to states, a 20 percent increase over last year;

(c) \$2.6 billion for teacher quality programs, a 17 percent increase over last year; and

(d) \$1.1 billion for Impact Aid, a 14 percent increase over last year;

(5) Spending restraint is necessary to ensure debt reduction and protection of Social Security; and

(6) Congress should pass all 13 appropriations bills consistent with the spending limits and restraints in the concurrent resolution on the budget for fiscal year 2002.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that:

(1) the appropriations committees should fulfill the authorized spending levels in this bill to the extent that it is consistent with the parameters of the budget resolution; and

(2) these spending increases will be ineffective unless they are coupled with a strong, bipartisan education reform plan in accord with the basic principles put forward by the President.

SA 802. Mr. HARKIN (for Mr. KENNEDY (for himself and Mr. HARKIN)) proposed an amendment to amendment No. 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

At the appropriate place insert the following:

TITLE —INDIVIDUALS WITH DISABILITIES

SEC. 01. DISCIPLINE.

Section 615 of the Individuals with Disabilities Education Act (20 U.S.C. 1415) is amended by adding at the end the following:

“(n) UNIFORM POLICIES.—

“(1) IN GENERAL.—Subject to paragraph (2), and notwithstanding any other provision of this Act, a State educational agency or local educational agency may establish and implement uniform policies regarding discipline applicable to all children under the jurisdiction of the agency to ensure the safety of such children and an appropriate educational atmosphere in the schools under the jurisdiction of the agency.

“(2) LIMITATION.—

“(A) IN GENERAL.—A child with a disability who is removed from the child's regular educational placement under paragraph (1) shall receive a free appropriate public education which may be provided in an alternative educational setting pursuant to Sec. 615K, if the behavior that led to the child's removal is a manifestation of the child's disability, as determined under subparagraphs (B) and (C) of subsection (k)(4).

“(B) MANIFESTATION DETERMINATION.—The manifestation determination shall be made immediately, if possible, but in no case later than 10 school days after school personnel decide to remove the child with a disability from the child's regular educational placement.

“(C) DETERMINATION THAT BEHAVIOR WAS NOT MANIFESTATION OF DISABILITY.—If the result of the manifestation review is a determination that the behavior of the child with a disability was not a manifestation of the child's disability, appropriate school personnel may apply to the child the same relevant disciplinary procedures as would apply to children without a disability.”, except as provided in 612(a)(1).

SEC. 02. PROCEDURAL SAFEGUARDS.

Section 615 of the Individuals with Disabilities Education Act (20 U.S.C. 1415) (as amended by section 01) is amended by adding at the end the following:

“(o) DISCIPLINE DETERMINATIONS BY LOCAL AUTHORITY.—

“(1) INDIVIDUAL DETERMINATIONS.—In carrying out any disciplinary policy described in subsection (n)(1), school personnel shall have discretion to consider all germane factors in each individual case and modify any disciplinary action on a case-by-case basis.

“(2) DEFENSE.—Nothing in subsection (n) precludes a child with a disability who is disciplined under such subsection from asserting a defense that the alleged act was unintentional or innocent.

“(3) LIMITATION.—

“(A) REVIEW OF MANIFESTATION DETERMINATION.—If the parents or the local educational agency disagree with a manifestation determination under subsection (n)(2), the parents or the agency may request a review of that determination through the procedures described in subsections (f) through (i).

“(B) PLACEMENT DURING REVIEW.—During the course of any review proceedings under subparagraph (A), the child shall receive a free appropriate public education which may be provided in an alternative educational placement.”.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on June 19, 2001, at 10:00 a.m. in room 485 Russell Senate Building to conduct a hearing

to receive testimony on the goals and priorities of the member tribes of the Midwest Alliance of Sovereign Tribes for the 107th session of the Congress.

Those wishing additional information may contact Committee staff at 202/224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on June 21, 2001, at 10:00 a.m. in room 485 Russell Senate Building to conduct a hearing on Native American Program Initiatives at the College and University Level.

Those wishing additional information may contact Committee staff at 202/224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 13, 2001, to conduct a hearing on the nomination of Roger Walton Ferguson, Jr., of Massachusetts, to be a member of the board of Governors of the Federal Reserve System.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 13, 2001 at 10:15 a.m. to hold a hearing titled “The Crisis in Macedonia and U.S. Engagement in the Balkans” as follows:

Witnesses:

Panel 1: Ambassador James Pardew, Senior Advisor on the Balkans for the Bureau of European Affairs, U.S. Department of State, Washington, DC.

Panel 2: General Wesley K. Clark (USA Ret.), Corporate Consultant, Stephens Group, Inc., Washington, DC.

The Honorable Richard Perle, Resident Fellow, American Enterprise Institute, Washington, DC.

Panel 3: General William Nash (USA Ret.), Senior Fellow and Acting Director of the Center on Preventive Act, Council on Foreign Relations, Washington, DC.

Dr. Daniel P. Serwer, Director, Balkans Initiative, United States Institute of Peace, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, June 13, 2001 at 9:30 am for a hearing regarding Economic Issues Associated with the Restructuring of Energy Industries.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized